



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Mr. Darcy Delainey
17701, LLC
Chadlee Mobile Home Park Owner
2 PH2 7988 Ackroyd Road
Richmond, BC V6X OK6
Canada

MAR 01 2015

CERTIFIED MAIL
RETURN RECEIPT REQUESTED TO:

Ms. Heather Gomez
Chadlee Mobile Home Park Manager
P.O. Box 2164
Williamsport, PA 17703

RE: Notice of Violation, Docket No. SDWA-03-2015-012-VS
Chadlee Mobile Home Park
Armstrong Township, Lycoming County, Pennsylvania
PWS ID No. PA4410020

Dear Mr. Delainey,

The following Notice of Violation is issued pursuant to Sections 1414(a) and 1445 of the Safe Drinking Water Act (SDWA), 42 U.S.C. §§ 300g-3(a) and 300j-4(a), and is a coordinated effort with the Pennsylvania Department of Environmental Protection (PADEP). According to our records and information received from PADEP, your public water system has violated certain provisions of the SDWA, 42 U.S.C. §§ 300f-300j-26, the National Primary Drinking Water Regulations (NPDWR) found at 40 Code of Federal Regulations (CFR) Part 141.

NOTICE OF VIOLATION

FINDINGS

Based on information we possess:

1. 17701, LLC. is the owner of the Chadlee Mobile Home Park public water system (PWS), PWS Identification Number PA4410020 (System). Respondent is a "person" as defined by Section 1401 (12) of the SDWA and 40 C.F.R. § 141.2.
2. The System serves a population of at least twenty-five (25) persons daily with piped water for human consumption for a minimum of sixty (60) days per year, and/or has at least fifteen (15) service connections.
3. Respondent failed to monitor the reliability and effectiveness of the System's 4-log treatment of viruses, as required by 40 C.F.R. § 141.403(b) (3), during the monthly monitoring periods April through December 2013, and January through February 2014.

4. Respondent failed to maintain a minimum chlorine residual of 0.67 milligrams per liter (mg/L) at Entry Point 101 (Well No. 1) on March 11, 2014, as required by 25 Pa. Code 109.1301 *et seq* for 4-log (99.99%) inactivation of viruses and Special Condition A of the Systems operating permit. The chlorine residual at Entry Point 1 was measured at 0.17 mg/L on March 11, 2014.
5. Respondent failed to submit a complete record of daily compliance monitoring of chlorine residual, as required by § 141.403(b)(3), during the monthly periods of April, May, June, July, August, and September 2011.
6. Respondent failed to collect repeat monitoring samples for total coliform bacteria within 24 hours of being notified of a positive total coliform sample on August 29, 2014, as required by 40 C.F.R. § 141.21(b).
7. Respondent failed to collect five (5) routine samples the month following a total coliform positive result as required by 40 C.F.R. § 141.21(b)(5), during the monthly monitoring period beginning September 2014.
8. Respondent failed to monitor for total coliform bacteria, as required by 40 C.F.R. § 141.21(a), for the monthly monitoring periods beginning October, November and December 2014.
9. On September 26, 2014, the U.S. Environmental Protection Agency (EPA) issued a Notice of Violation and Request for Information (NOV/RFI) to Darcy Delainey, President of 17701, LLC and also sent a copy via certified mail/ return receipt to Ms. Heather Gomez, the manager of the Chadlee Mobile Home Park. Owners and Operators of public water systems are both responsible for compliance with SDWA. EPA received the certified mail return receipt card which was signed by Heather Gomez indicating receipt of the NOV/RFI. However, the NOV/RFI which was mailed to Darcy Delainey was returned to sender and unable to forward. Since then PADEP has provided EPA with an updated address for Darcy Delainey to which this NOV/RFI is being sent.
10. In the September 26, 2014 NOV/RFI, EPA notified Respondent that according to PADEP records, Respondent failed to monitor the reliability and effectiveness of the System's 4-log treatment of viruses during the monthly monitoring periods April through December 2013, and January through February 2014; and Respondent failed to submit a complete record of daily compliance monitoring of chlorine residual during the monthly periods of April, May, June, July, August, and September 2011. EPA requested that Respondent provide data showing the required monitoring and specific ownership, addresses and operational information for the System.
11. As of this date, EPA has not received a response to the September 26, 2014 NOV/RFI. In addition, EPA has been notified by PADEP of additional violations since the September 26, 2014 NOV/RFI was issued, these additional violations are also included in this NOV/RFI.

The Environmental Protection Agency ("EPA") is available to provide advice and technical assistance to help address the above FINDINGS. Please contact Ms. Roberta Riccio at 215-814-3107, if you want to request such advice or assistance.

This Notice of Violation is issued pursuant to Section 1414(a) of the SDWA, 42 U.S.C. § 300g -3(a). After thirty (30) days from the date of this notice, EPA is authorized either to issue an Administrative Order under Section 1414(g) requiring the public water system to comply, or to commence a civil action under Section 1414(b). Violations of the SDWA and the regulations are subject to penalties of up to \$37,500 per day of violation.

REQUEST FOR INFORMATION

Section 1445(a) of the SDWA, 42 U.S.C. § 300j-4(a), authorizes EPA to require owners and operators of public water systems to provide information as may be necessary to carry out the purposes of the SDWA.

Pursuant to Section 1445(a) of the SDWA, Respondent is required to provide EPA with the following information. This requirement to submit information is mandatory. Compliance with this requirement does not relieve Respondent of any liability for violations of the SDWA. Respondent may be subject to civil and criminal sanctions if it provides misleading or false information or fails to provide the requested information. Information which Respondent provides may be used by EPA in administrative, civil or criminal proceedings.

You may, if desired, assert a business confidentiality claim covering all or part of the information requested herein in the manner described in 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information requested herein, it may be made available to the public by EPA without further notice to you. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act of 1980, 44 U.S.C. Chapter 35 (See 5 C.F.R. § 1320.3(c)).

The instructions for responding to the inquiries are as follows:

- a. A separate narrative response must be made for each question set forth below, and for any subpart of each question.
- b. Label each response with the corresponding number of the question and any subpart to which it responds.

Accordingly, pursuant to Section 1445(a) of the SDWA, Respondent is directed to provide EPA the following information.

1. Name and street address of the owner or owners of the System. If this is a corporation, provide the names, titles, and addresses of officers. Do not provide a post office box.
2. Name and street address of the operator or operators of the System, and state certification number, if applicable. Do not provide a post office box. If this is a corporation, provide the names, titles, and addresses of officers. The street address of the System, or, if no street address is possible, the physical location of the System. Do not provide a post office box.

3. Number of persons served drinking water by the System per day on average.
4. Number of service connections to the System.
5. State whether the System is operated year-round. If the System is not operated year-round, state the number of days in operation.
6. A copy of the most recently performed sanitary survey for the System.
7. Copies of all disinfection residual chlorine and 4-log treatment of viruses performed since April 2013.
8. Copies of all routine and repeat total coliform sampling data since August 2014.
9. Copies of any public notifications posted or provided to water users, regarding the violations listed in paragraphs 3, 4, 5, 6, 7 and 8 of the Findings.
10. Copies of any reports forwarded to PADEP concerning violations and public notifications for the violations listed in paragraphs 3, 4, 5, 6, 7 and 8 of the Findings.
11. Any existing plans and schedules for monitoring, reporting and public notification.
12. Your response to this Notice of Violation and Request for Information shall be in writing.
13. Your response is due within thirty (30) days of receipt of this Notice of Violation and Request for Information. You should submit your response to:

Ms. Roberta Riccio
United States Environmental Protection Agency
Ground Water and Enforcement Branch (3WP22)
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029
Riccio.roberta@epa.gov

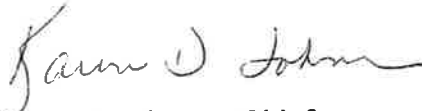
and

Mr. John Hamilton
Environmental Group Manager
Safe Drinking Water
Pennsylvania Department of Environmental Protection
DEP North-Central Regional Office
208 West Third St.
Williamsport, PA 17701
570-327-3636

If you have any questions, please call Roberta Riccio at 215-814-3107.

EPA has determined that your System may be a "small business" under the Small Business Regulatory Enforcement Fairness Act (SBREFA). The enclosed document entitled "Information for Small Businesses" provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, does not create any new rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action.

Sincerely,

A handwritten signature in dark ink, appearing to read "Karen D. Johnson", with a stylized flourish at the end.

Karen D. Johnson, Chief
Ground Water and Enforcement Branch

cc: Mr. John Hall, Certified Operator
Ms. Lisa Daniels, Headquarters, Harrisburg
Mr. John Hamilton, North Central Regional Office,

